

### **REMARKS/ARGUMENTS**

Applicants would like to thank the Examiner for the careful consideration given the present application.

Claims 1 and 2 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claims 1 and 2 have been canceled and claims 13-16 added. Claims 13 and 15 are directed to a moving picture reception apparatus comprising a display and a network interface. Claims 14 and 16 are directed to a moving picture transmission apparatus comprising a data transmitter and a network interface. Applicants submit that claims 13-16 are directed to machines and, therefore, recite statutory subject matter.

Claims 1 and 2 were rejected under 35 U.S.C. 102(e) as being anticipated by Kim (USPN 5,905,812) and Kojima (USPN 6,057,893). Claims 1 and 2 have been canceled.

Claim 13 recites, "a moving picture reception apparatus, comprising...a display for displaying a moving picture based on received moving picture data...wherein the moving picture data has a structure comprising: I pictures (intraframe coded image); P pictures (interframe forward predictive coded image); and P' picture which is a forward predictive coded image of a picture immediately preceding an I picture and the I picture, wherein said P' picture is placed preceding or following the I picture." The claimed moving picture data includes I pictures and a P' picture, which is a forward predictive coded image of a picture immediately preceding an I picture and the I picture. The P' picture is a redundant picture (i.e., redundant to the I picture). The moving picture data having the redundant P' picture is received by the moving picture reception apparatus, which displays a moving picture based on the received data. An advantage provided by the claimed data structure is that if an error occurs during a reading of an I picture, the error can be accommodated by using the P' picture instead of the I picture.

In rejecting claims 1 and 2, the Office action cites Kim at column 2, lines 27-44 for teaching the above-noted data structure. Applicants submit that Kim does not teach receiving the noted moving picture data and displaying a moving picture based on the data. Kim teaches an image coding device (see Fig. 2) having a bitstream output portion 25. Kim's bitstream output does not include I pictures and the redundant P' picture of claim 13. Kim teaches a perceptual error processor 39 that generates a perceptual error image (S) composed of only the errors generating perceptual color difference (i.e., color differences that can be perceived by the human eye) (3:59-63 and 5:41-51). The perceptual error processor 39 uses the predictive error image (e)

in generating the perceptual error image (S) (see Fig. 4 and 4:63-5:1). "In the case of the intraframe which cannot form the predictive image due to the absence of the movement vector, the predictive error image (e) is defined..." (see 5:2-10). Kim proceeds to explain just how the predictive error image (e) is defined in the case of the intraframe (see 5:2-30). The perceptual error image (S) is coded and formed into a bitstream, which is outputted at the bitstream output portion 25 (see Fig. 2). In generating the perceptual error image (S), Kim's perceptual error processor 39 does define a predictive error image (e) for the intraframe. However, the coded perceptual error image (S) that is formed into a bitstream does not include both I pictures and a redundant P' picture, as required by claim 13. Therefore, Kim necessarily fails to teach receiving the moving picture data of claim 13 and displaying a moving picture based on said data. Applicant submits that claim 13 is allowable over Kim. The arguments provided above are also applicable to claim 14.

New claims 15 and 16 also recite a data structure having a redundant picture. In this case, the redundant picture is a P'' picture, which is a forward predictive coded image of an I picture immediately preceding the current I picture and the current I picture. Kim's coded perceptual error image (S) that is formed into a bitstream does not include both I pictures and a redundant P'' picture, as required by claims 16 and 17.

Turning to the Kojima reference, Kojima teaches detecting a scene change and changing a P-picture directly after the scene change to an I-picture (see 4:23-28 and Figs. 4A-4B). An I-picture before or after the scene change is changed to a P-picture, so that the overall number of I-pictures is not increased (see 4:28-58 and Figs. 4A-5B). A picture encoding apparatus is shown at Figs. 6A-6B. A transmission buffer 49 transiently stores variable-length encoded data and outputs the stored data (7:1-3). The output data is recorded on a recording medium 120 or transmitted via a transmission channel 110 to a receiving side (7:9-12). In addition, the transmission data (encoded data) recorded on the recording medium is decoded by an image decoding apparatus, not shown, for restoration to the original image data (7:12-15). Kojima's transmitted data would include P-pictures that are changed to I-pictures and I-pictures that are changed to P-pictures, however, the data would not include the redundant P' pictures of claims 13-14 or the redundant P'' pictures of claims 15-16. Applicant submits that claims 13-16 are allowable over Kojima.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-32537US1.

Respectfully submitted,

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